



U.S. Department of Justice

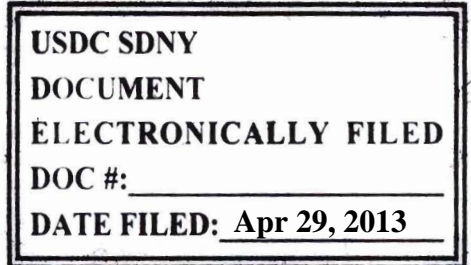
United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

April 26, 2013

BY E-MAIL

The Honorable Jesse M. Furman  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2202  
New York, New York 10007



Re: United States v. Alimzhan Tokhtakhounov et al.,  
13 Cr. 268 (JMF)

Dear Judge Furman:

The Government writes regarding the bail conditions for defendant Justin Smith. At the defendant's April 16, 2013 presentment in the Central District of California, the Court set bail conditions that included the following:

- a \$50,000 appearance bond, co-signed by one person;
- travel restricted to the Central District of California and the Southern District of New York;
- the defendant to surrender all travel documents and make no new applications;
- the defendant to have no possession of any firearms, ammunition, destructive device, or other dangerous weapons, and to consent to search by the Government for any such materials;
- the defendant to maintain or actively seek employment and provide proof to Pre-Trial Services; and
- the defendant to have no contact with victims, witnesses, and co-defendants (except in the presence of counsel).

As directed by the Court at the April 19, 2013 arraignment and initial conference, the Government has conferred with the defendant's counsel regarding an appropriate bail package for this District. The parties jointly propose the following bail conditions for the Court's consideration:

- a \$100,000 personal recognizance bond, co-signed by two financially responsible persons by May 9, 2013;
- travel restricted to the Central District of California and the Southern and Eastern Districts of New York, and all points in between for the purpose of travel;

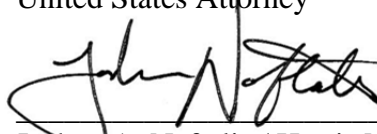
- regular Pre-Trial supervision;
- the defendant to surrender all travel documents and make no new applications;
- the defendant to have no possession of any firearms, ammunition, destructive device, or other dangerous weapons, and to consent to search by the Government for any such materials;
- the defendant to maintain or actively seek employment and provide proof to Pre-Trial Services; and
- the defendant to have no contact with victims, witnesses, and co-defendants (except in the presence of counsel).

The Government is of course available for a conference regarding this matter.

Respectfully submitted,

PREET BHARARA  
United States Attorney

By:



Joshua A. Naftalis / Harris M. Fischman  
Assistant United States Attorneys  
(212) 637-2310 / 2305

cc: Mark J. MacDougall, Esq.

SO ORDERED:



The Honorable Jesse M. Furman  
United States District Court

April 29, 2013